

Status: This version of this provision is prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Transnational Information and Consultation of Employees Regulations 1999. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

STATUTORY INSTRUMENTS

1999 No. 3323

The Transnational Information and Consultation of Employees Regulations 1999

PROSPECTIVE

PART IX EXCEPTIONS

Merchant Navy

46.—(1) Subject to paragraph (3), no long haul crew member shall be—

- (a) a member of a special negotiating body;
- (b) a member of a European Works Council; or
- (c) an information and consultation representative.

(2) In paragraph (1), a “long haul crew member” means a person who is a member of a merchant navy crew other than—

- (a) a ferry worker; or
- (b) a person who normally works on voyages the duration of which is less than 48 hours.

(3) Paragraph (1) shall not apply where the central management decides that the long haul crew member in question shall be permitted to be, as the case may be, a member of a special negotiating body or of a European Works Council, or an information and consultation representative.

(4) Where paragraph (1) applies, no long haul crew member shall—

- (a) stand as a candidate for election as a member of a special negotiating body or of a European Works Council, or as an information and consultation representative; or
- (b) be appointed or nominated to be a member of a special negotiating body or of a European Works Council, or an information and consultation representative.

Commencement Information

II Reg. 46 in force at 15.1.2000, see [reg. 1\(1\)](#)

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Changes and effects yet to be applied to :

- Regulations modified by [S.R. 2011/350 art. 23\(1\)Sch. 1 para. 1\(a\)](#)
- Regulations words substituted by [S.I. 2019/535 Sch. 2 para. 2\(a\)](#)
- Regulations words substituted by [S.I. 2019/535 Sch. 2 para. 2\(b\)](#)
- reg. 46 coming into force by [S.I. 1999/3323 reg. 1\(1\)](#)
- reg. 46 substituted by [S.I. 2018/26 reg. 2\(2\)](#)
- reg. 46(1) words inserted by [S.I. 2019/535 Sch. 2 para. 30\(c\)](#)
- reg. 46(1) words omitted by [S.I. 2019/535 Sch. 2 para. 30\(a\)](#)
- reg. 46(1) words omitted by [S.I. 2019/535 Sch. 2 para. 30\(b\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- Blanket amendment words substituted by [S.I. 2011/1043 art. 3-68-10](#)

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. para. 6(3) inserted by [S.I. 2010/1088 reg. 25](#)
- Sch. para. 8A inserted by [S.I. 2010/1088 reg. 28](#)
- Sch. para. 9(7)(8) inserted by [S.I. 2010/1088 reg. 29\(b\)](#)
- Sch. para. 7(3)(4) substituted for Sch, para. 7(3) by [S.I. 2010/1088 reg. 26](#)
- reg. 2(4B)(a) omitted by [S.I. 2019/535 Sch. 2 para. 3\(d\)\(i\)](#)
- reg. 2(4B)(b) word substituted by [S.I. 2019/535 Sch. 2 para. 3\(d\)\(ii\)](#)
- reg. 2(4B)(c) word substituted by [S.I. 2019/535 Sch. 2 para. 3\(d\)\(ii\)](#)
- reg. 16(1A) inserted by [S.I. 2010/1088 reg. 8\(a\)](#)
- reg. 17(4)(dd) inserted by [S.I. 2010/1088 reg. 9\(b\)](#)
- reg. 17(4A) inserted by [S.I. 2010/1088 reg. 9\(d\)](#)
- reg. 17(9) inserted by [S.I. 2010/1088 reg. 9\(f\)](#)
- reg. 18A inserted by [S.I. 2010/1088 reg. 10](#)
- reg. 18A(1)(a) words inserted by [S.I. 2019/535 Sch. 2 para. 14](#)
- reg. 18A(1)(b) words inserted by [S.I. 2019/535 Sch. 2 para. 14](#)
- reg. 19A-19F inserted by [S.I. 2010/1088 reg. 11](#)
- reg. 19B(1)(a) and word omitted by [S.I. 2019/535 Sch. 2 para. 15](#)
- reg. 19E(1)(a) words substituted by [S.I. 2019/535 Sch. 2 para. 16](#)
- reg. 19F omitted by [S.I. 2019/535 Sch. 2 para. 17](#)
- reg. 20(A1) inserted by [S.I. 2019/535 Sch. 2 para. 18\(a\)](#)
- reg. 20(7A) inserted by [S.I. 2010/1088 reg. 12\(c\)](#)
- reg. 21(1A) inserted by [S.I. 2010/1088 reg. 13\(b\)](#)
- reg. 21(1A)(a) words inserted by [S.I. 2019/535 Sch. 2 para. 19\(b\)](#)
- reg. 21(6A) inserted by [S.I. 2010/1088 reg. 13\(e\)](#)
- reg. 21A inserted by [S.I. 2010/1088 reg. 14](#)
- reg. 21A(1)(a) omitted by [S.I. 2019/535 Sch. 2 para. 20\(a\)\(i\)](#)
- reg. 21A(1)(c) words omitted by [S.I. 2019/535 Sch. 2 para. 20\(a\)\(ii\)](#)
- reg. 21A(3) word omitted by [S.I. 2019/535 Sch. 2 para. 20\(b\)](#)
- reg. 21A(10)(c)(i) omitted by [S.I. 2019/535 Sch. 2 para. 20\(c\)\(i\)](#)
- reg. 21A(10)(c)(iii) words omitted by [S.I. 2019/535 Sch. 2 para. 20\(c\)\(ii\)](#)

- reg. 25(1A) inserted by S.I. 2010/1088 reg. 16
- reg. 25(1A)(a) omitted by S.I. 2019/535 Sch. 2 para. 21(b)
- reg. 27(2A) inserted by S.I. 2014/386 Sch. para. 7
- reg. 27(2B) inserted by S.R. 2020/4 Sch. para. 12
- reg. 27A inserted by S.I. 2014/386 Sch. para. 8
- reg. 27B inserted by S.R. 2020/4 Sch. para. 13
- reg. 41(7A) inserted by S.I. 2004/2518 reg. 2
- reg. 41(7A) words substituted by S.I. 2009/3348 art. 22Sch. 1
- reg. 41(9) inserted by S.I. 2013/1956 Sch. para. 3(b)
- reg. 44-45A substituted for reg. 44 by S.I. 2010/1088 reg. 23
- reg. 44(4)-(7) omitted by S.I. 2019/535 Sch. 2 para. 27(b)
- reg. 45(4)-(7) omitted by S.I. 2019/535 Sch. 2 para. 28(b)
- reg. 45A(1) substituted by S.I. 2019/535 Sch. 2 para. 29(a)
- reg. 45A(2)(a) words inserted by S.I. 2019/535 Sch. 2 para. 29(b)
- reg. 45A(3) word substituted by S.I. 2019/535 Sch. 2 para. 29(c)
- reg. 45A(3A) inserted by S.I. 2019/535 Sch. 2 para. 29(d)
- reg. 45A(4) omitted by S.I. 2019/535 Sch. 2 para. 29(e)
- reg. 45A(5) substituted by S.I. 2019/535 Sch. 2 para. 29(f)
- reg. 46A inserted by S.I. 2004/2326 reg. 53
- reg. 46A substituted by S.I. 2009/2401 reg. 40
- reg. 46A(1) words substituted by S.I. 2019/685 Sch. 3 para. 19(a)
- reg. 46A(2) substituted by S.I. 2019/685 Sch. 3 para. 19(b)
- reg. 46B inserted by S.I. 2006/2059 reg. 42